THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.27643 of 2005

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30.01.2006

Between:

Revanuru Ramudu @ Devanuru Ramudu, S/o.Ranganna

And others

... Petitioners

AND

The Land Acquisition Officer and

Revenue Divisional Officer, Nandyal, Kurnool District.

And another

...Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.27643 of 2005

ORDER:

The petitioners 1 to 48 are residents of Gani village of Gadivemula Mandal in Kurnool District. The petitioners 49 to 133 are residents of Manchalakatta village of Gadivemula Mandal in Kurnool District. They filed the instant writ petition seeking a writ of Mandamus directing the second respondent to consider the joint application filed under Section 28A of Land Acquisition Act, 1894 (the Act, for brevity) for determination of the market value as per the judgment and decree of the civil court.

The matter initially came up before this Court on 27.12.2005. As the writ petition is filed with improper cause title, the matter was adjourned giving liberty to the petitioner to file a better affidavit with proper cause title. Accordingly, a fresh affidavit along with amended cause title is filed and the same is taken on file.

It is the case of the petitioners that their lands were acquired for construction of the reservoir across Maddilacheruvu river in Manchalakatta Mandal. The Land Acquisition Officer passed award No.26 of 1980 on 30.4.1980 awarding a sum of

Rs.3,000/- per acre. The petitioners accepted the payment. Some other land owners sought reference under Section 18 of the Act. The same being O.P.No.16 of 1990 and batch were ultimately decided by the Court of the Senior Civil Judge, Nandyal enhancing the compensation to Rs.5,000/- per acre. It is the case of the petitioners that they obtained certified copies on 28.4.2000 and made joint application on 23.5.2000 seeking re-determination under Section 28A of the Act. As there was no action by the second respondent, the present writ petition is filed.

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (Land Acquisition) on instructions submits that against the order dated 11.2.2000 passed by the Court of the Senior Civil Judge, Nandyal, the claimants preferred appeals before this Court, which were ultimately dismissed on 24.11.2004. In view of the pendency of these appeals before this Court, the joint application of the petitioners was not considered. Therefore, the first respondent may verify the application made by the petitioners and if such application is within time, consider the same and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

January 30, 2006.

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